

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK Attorney: KENNEDY, JENNIK & MURRAY,
P.C.
ATTORNEYS AT LAW

D.C. 1707 AFSCME, AFL-CIO, ETANO

Plaintiff(s)

Index # 08 CV 7079 (SULLIVAN)

- against -

Purchased August 8, 2008

METROCARE HOME SERVICES

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

MICHAEL HARRIS BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on August 13, 2008 at 11:43 AM at

21 E. 26TH ST., 4TH FL.
NEW YORK, NY 10010

deponent served the within SUMMONS AND COMPLAINT, INDIVIDUAL PRACTICES OF RICHARD J. SULLIVAN, ELECTRONIC CASE FILING RULES & INSTRUCTIONS, INDIVIDUAL * on METROCARE HOME SERVICES therein named,

SUITABLE AGE by delivering thereat a true copy of each to KOFFI DJELOU a person of suitable age and discretion. Said premises is Defendant's actual place of business within the state. He identified himself as the GENERAL-AGENT of the Defendant.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
MALE	BLACK	BALD	45	5'9	180

MAILING Deponent enclosed a copy of same in a postpaid wrapper properly addressed to the Defendant at the Defendant's actual place of business at

21 E. 26TH ST., 4TH FL.
NEW YORK, NY 10010

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on August 15, 2008 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served.

* PRACTICES OF MAGISTRATE JUDGE DEBRA FREEMAN, CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE


That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: August 15, 2008

JOEL GRABER
Notary Public, State of New York
No. 02GR4699723
Qualified in New York County
Expires February 10, 2010

JOSEPH KNIGHT
Notary Public, State of New York
No. 01KN6178241
Qualified in New York County
Expires November 26, 2011

JONATHAN GRABER
Notary Public, State of New York
No. 01GR6156780
Qualified in New York County
Expires December 4, 2010


MICHAEL HARRIS
License #: 1077447
Invoice #: 467717

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

D.C. 1707 AFSCME, AFL-CIO and Local 389,
D.C. 1707, AFSCME, AFL-CIO,

Plaintiff,

V.

Metrocare Home Services

Defendant.

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

08 CV 7079

TO: (Name and address of Defendant)

Metrocare Home Services
21 East 26th Street
New York, NY 10010

JUDGE SULLIVAN

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

John R. Howard
Kennedy Jennik Murray P.C.
113 University Place, 7th Floor
New York, NY 10003

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

AUG 08 2008

J. MICHAEL McMAHON

CLERK

Catherine Lapley

(By) DEPUTY CLERK

DATE